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FISCAL IMPACT REPORT

SPONSOR Jennings DATE TYPED 2/19/05 HB _____

SHORT TITLE Apply Forfeiture Act to Deadly Weapons SB 648

ANALYST Medina

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General (AG)

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

Senate Bill 648 amends Section 30-7-4 NMSA 1978 "Negligent use of a deadly weapon" to provide that any deadly weapon used negligently in violation of this section of statute be subject to seizure and forfeiture. The bill also provides that provisions of the Forfeiture Act (Section 37-27-1 NMSA 1978) apply to the seizure, forfeiture and disposal of deadly weapons used negligently.

Significant Issues

The Attorney General states that this is a reasonable penalty for endangering a person or a person's property. The Forfeiture Act is similarly applied to unlawful possession of a handgun.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

The Forfeiture Act will not apply to Section 30-7-4 NMSA 1978 "Negligent use of a deadly weapon."

DXM/yr